

Remarks

The present response is to the Office Action mailed 09/03/2008. Claims 22-35 are presented for Examination.

Claim Rejections - 35 USC § 102

8. Claim 22 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Anisimov et al (US Pat 6,449,358).

Regarding claim 22 and 29, Anisimov et al (US Pat 6,449,358) discloses managing call load with respect to communication in a call center, (Abstract). Anisimov further discloses that it is well known in the prior art to set a queue waiting time for agents, and that waiting for an available agent in a queue is well known in the art. Anisimov further admits that it is well known in the art that waiting time is estimated and that callers are periodically informed of estimated wait times (EWT) by an IVR system (user interface) while callers wait for an agent (col. 3, line 17-67, col. 4, line 42-67, col. 5, line 52-61, col. 7, line 29-51). Anisimov also discloses a voice monitor messaging facility being accessed via IVR (a user interface) (col. 6, line 32-43, monitoring facility is accessed through a user interface). In addition, Stat-server software associated with the messaging facility monitors the agent status, call traffic and a host of other variables including agent priority status in the queue (col. 9, line 3-65, col. 10, line 39-44).

Applicant's response:

Applicant argues that the Examiner did not address and provide art teaching every limitation held in claims 22 and 29. Applicant points out that claim 22 recites:

22. A wait-time notification system, comprising:

a monitoring facility tracking status of agents in one or more communication centers; and

a user interface to the monitoring facility;

wherein, when the monitoring facility is accessed through the user interface the monitoring facility provides at least one aspect of agent status and an estimated wait time for contact with an agent.

The Examiner states, “Anisimov further admits that it is well known in the art that waiting time is estimated and that callers are periodically informed of estimated wait times (EWT) by an IVR system (user interface) while callers wait for an agent... In addition, Stat-server software associated with the messaging facility monitors the agent status, call traffic and a host of other variables including agent priority status in the queue...”

Applicant argues that the IVR of Anisimov, interpreted by the Examiner as applicant’s user interface, is not specifically taught as an interface to the monitor facility, which the Examiner interprets as Anisimov’s Stat Server. Applicant also argues that there is no art contained in Anisimov to teach or suggest that the stat server (monitoring facility) is accessed by the IVR (interface), as claimed. Further, Anisimov is silent to the teaching that the IVR (interface) said IVR (interface) provides *at least one aspect of agent status*, as claimed in applicant’s invention. The portions of Anisimov provided by the Examiner and the balance of the reference Anisimov is silent to said limitation, Anisimov is solely concerned with providing EWT to callers waiting in queue via an IVR.

Therefore, all of the limitations held in independent claim 22 and 29 have not been shown in Anisimov nor are they inherent and the 102 rejection fails. Applicant believes claims 22 and 29 are easily patentable over the art of Anisimov. Depended claims 23-28 and 30-35 are patentable as indicated by the Examiner, or at least as depended upon a patentable claim.

Allowable Subject Matter

9. Claims 23-28 and 30-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: The prior art fail to teach or suggest with respect to claim 23 and 30, wherein the user interface includes a link to a URL providing a Web page, with respect to claim 26 and 33, user interface includes mechanisms for selecting media type for communication with agents at the communication center, and with respect to claim 28 and 35, mechanism in the monitoring facility for selecting an agent, wherein at the time an agent is selected the status of that agent is displayed.

Applicant's response:

Applicant chooses to argue the art of Anisimov, as the art fails to anticipate applicant's independent claims. Applicant does not take advantage of the allowability indicated by the Examiner, at this time.

Summary

As all of the claims argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
Oleg Bondarenko et al.

By /Donald R. Boys/
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755